10/10/47 Draft (37)

ARTICLE VII

1. The nationals, corporations and associations of the United States of America shall be permitted to acquire, own and dispose of real and other immovable property or interests therein within the territories of the upon terms no less favorable than those now or hereafter accorded to nationals, corporations and associations of the ; provided that, in the case of nationals of the United States of America domiciled in, and of corporations and associations of the United States of America created or organized under the laws of, a state, territory or possession of the United States of America which does not accord to nationals, corporations and associations of the treatment with respect to the acquisition, ownership and disposition of real or other immovable property or interests therein as favorable as that accorded to nationals, corporations and associations of the United States of America, the shall not be obligated to accord treatment more favorable than the treatment which is or may hereafter be accorded within such state, territory or possession to nationals, corporations and associations of the .

2. If a national, corporation or association of either High Contracting Party, whether or not resident and whether or not engaged in business or other activities within the territories of the other High Contracting Party, is on account of alienage prevented by the applicable laws and regulations within such territories from succeeding as devisee or as heir in the case of a national, to real or other immovable property situated

such national, corporation or association shall be allowed a term of three years in which to sell such property or interest, this term to be reasonably prolonged if circumstances render it necessary. The transmission or receipt of such property shall be exempt from the payment of any estate, succession, probate or administrative taxes or charges other or higher than those now or hereafter imposed in like cases of nationals, corporations or associations of the High Contracting Party in whose territory the property is or the interests therein are situated. Moreover, such devisee or heir shall, in conformity with such applicable laws and regulations as are not inconsistent with paragraph 3 of Article XVII, be permitted without interference to withdraw the proceeds of the sale of such property, by obtaining foreign exchange, in the currency of the High Contracting Party of which the devisee is a national, corporation or association, or of which the heir is a national, during a period not in excess of three years after application therefor, upon the most favorable terms applicable to such currency at the time application for the withdrawal of such proceeds is filed, provided such application is made within one year after receipt of the proceeds of sale to which it relates.

3. The nationals of either High Contracting Party shall have full power to dispose of personal property of every kind within the territories of the other High Contracting Party, by testament, donation or otherwise and their heirs, legatees or donees, being persons of whatever

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whatever nationality or corporations or associations wherever created or organized, whether resident or non-resident and whether or not engaged in business within the territories of the High Contracting Party where such property is situated, shall succeed to such property, and shall themselves or by their agents be permitted to take possession thereof, and to retain or dispose of it at their pleasure. Such disposition, succession and retention shall be subject to the provisions of Article X and exempt from any other charges, and from any restrictions, other or higher than those applicable in like cases of nationals, corporations and associations of such other High Contracting Party. The nationals, corporations and associations of either High Contracting Party shall be permitted to succeed, as heirs, legatees and donees, to personal property of every kind within the territories of the other High Contracting Party, left or given to them by nationals of either High Contracting Party or by nationals of any third country, and shall themselves or by their agents be permitted to take possession thereof, and to retain or dispose of it at their pleasure. Such disposition, succession and retention shall be subject to the provisions of Article IX and exempt from any other charges, and from any restrictions, other or higher than those applicable in like cases of nationals, corporations and associations of such other High Contracting Party. In the event of the death of a national of either High Contracting Party the recipients, by testament or otherwise, of his personal property located within the territories of the other High Contracting Party shall be determined

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by the applicable laws and regulations at the place where he was domiciled at the time of his death.

4. The nationals, corporations and associations of either High Contracting Party shall, subject to the exceptions in paragraph 2 of Article IX, receive treatment in respect of all matters which relate to the acquisition, ownership, lease, possession or disposition of personal property, no less favorable than the treatment which is or may hereafter be accorded to nationals, corporations and associations of any third country.

ARTICLE VIII

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On 10/16/47 Summary
in Mrs. Walker's (CP)
suggestion that such a
provision be included
in place of Italian
request for MFN on all
real property matters as
in 1871 treaty with Italy
C.J.S.